



Mayor's Office of
Immigrant Affairs
Bitta Mostofi
Commissioner

September 6, 2018

Testimony of Commissioner Bitta Mostofi
NYC Mayor's Office of Immigrant Affairs

Before a hearing of the New York City Council Committee on Immigration:

“Oversight – Abolish ICE”



Thank you to Speaker Johnson, Chair Menchaca and the members of the Committee on Immigration for convening this hearing. My name is Bitta Mostofi and I am the Commissioner of the Mayor's Office of Immigrant Affairs (MOIA). This testimony will address the calls to abolish Immigration and Customs Enforcement (ICE) as well as Intro. 1092.

I will begin my testimony by discussing what we mean when we say "Abolish ICE." Just today, the Trump Administration announced its intent to circumvent the rules and laws protecting immigrant children and expand family detention as a replacement for the family separation policy. An immigration enforcement system that subjects children to long-term detention is an intolerable system. Reforming our broken immigration system is absolutely necessary in a society that values justice and human rights. This is a historic moment, one in which people across the nation have begun to see the problems created by a broken agency and by immigration laws that desperately need reform.

Then I will turn to the separate question of Intro. 1092. As you know, this Administration strongly supports restrictions on cooperation with immigration enforcement except in cases of public safety and national security threats. That is why we worked with the City Council to pass the detainer laws in 2014, as well as Local Law 228 of 2017. We are interested in working with the Council to craft legislation that recognizes the City's intergovernmental cooperative efforts to support important public safety and national security work, while furthering the goal of keeping City agencies out of the business of immigration enforcement.

Concerns about the current scheme of immigration enforcement

The de Blasio Administration has always believed that immigration enforcement is the responsibility of the federal government. Together with the City Council and advocates, the City removed ICE's presence from Rikers, passed laws sharply limiting cooperation with federal immigration authorities where legitimate public safety and national security considerations are met, and has continued to push for immigration reform. Relatedly, in July, the City filed a lawsuit against the Department of Justice (DOJ)—*City of New York v. Sessions*—challenging federal efforts to condition Byrne JAG funding, a state and local public safety grant, on cooperation with immigration enforcement. Also, in collaboration with the Council, we have poured tremendous time and energy into making sure that our City services and programs are accessible to our immigrant communities, including through the largest municipal investment in immigration legal services, the creation of IDNYC, and the expansion of language access requirements. These policies help ensure that New York City, the ultimate city of immigrants, is also the safest big city in America.

It is abundantly clear that we need wholesale reform of ICE. The branch of ICE that conducts immigration enforcement in the interior of the country, Enforcement and Removal Operations, or "ICE ERO," has caused great harm in our communities. In the New York City area, civil immigration arrests increased by 67% in the eight months after President Trump's inauguration compared to the same period in the previous year, and arrests of individuals with no criminal

convictions increased by 225%.¹ Moreover, ICE ERO has shown that it simply does not care about the human consequences of its actions. As just one example, ICE ERO agents have arrested people in and around courthouses across New York City, despite knowing that these arrests make immigrants, including witnesses and victims, afraid to come to court. Despite complaints from advocates, the City, Council members, and district attorneys, ICE ERO has brazenly continued this practice. ICE ERO's practices make New York City less safe. By instilling fear about engaging with the court system and by targeting immigrants regardless of public safety considerations, the federal government is undermining the public safety, health, and wellbeing of all New Yorkers.

Given this context, the only logical conclusion is that we must replace our immigration enforcement system with something more reasoned and humane. We need a fair immigration enforcement system that simultaneously promotes public safety and national security, not one that could ever countenance separating children from families.

Any reform of ICE should provide a mandate that includes prioritized enforcement: focusing enforcement resources on the advancement of public safety and national security. As one example of how ICE has failed in this regard, ICE is responsible for administering this country's immigration detention system. But ICE detains immigrants without any consideration for whether they pose a public safety risk, and this includes the detention of families and children. Just today, for example, the Trump Administration announced its intention to change the rules to allow for the long-term detention of children. This is not what a humane immigration system looks like.

Along with prioritization, immigration enforcement should be accompanied by a duty to ensure that all those who are in need of humanitarian protection or other forms of relief have a fair opportunity to seek that relief. A humane immigration enforcement system should be focused on making sure people fleeing violence or with claims of persecution have a chance to make those claims.

Another proposal that has been much discussed in the public discourse is separating the ICE sub-agency that investigates bona fide public safety and national security threats—ICE Homeland Security Investigations (HSI)—out from the umbrella of ICE. ICE HSI's responsibilities include investigating human trafficking, child exploitation, international crime, military-arms proliferation, drug smuggling, and many other serious crimes. In a recent letter to the Secretary of Homeland Security, many of HSI's own leaders have called for its separation from ICE, characterizing the move as one that would promote HSI's ability to conduct investigations against transnational criminal organizations and terrorists. From the City's perspective, this HSI work should continue—they are important criminal law enforcement functions and also include supports for victims of trafficking and other crimes.

¹ ICE, FY2017 ERO Administrative Arrests, *available at* www.ice.gov/removal-statistics/2017.



I want to take a step back, however, and emphasize that no reform of ICE will be enough to fix our broken immigration system. For decades, Congress has been unable to pass comprehensive immigration reform. We must continue to press Congress to fix our immigration laws and create a system that reflects the need for a path to citizenship for this country's undocumented population, family reunification, protects those fleeing persecution and disaster, and promotes public safety and national security.

Intro. 1092

Turning to the second issue presented today, I want to briefly testify on Intro. 1092.

This Administration strongly believes that the City should not support immigration enforcement except where there are legitimate public safety or national security concerns. For that reason, we worked closely with the Council in creating our detainer laws, which restrict cooperation with federal immigration detainer requests except where an individual represents a public safety threat and the City has received sufficient evidence of probable cause of removability. We also worked with the Council to pass Local Law 228, which largely prohibits the use of City resources for the purposes of immigration enforcement. This is in addition to several other laws we worked together to pass, restricting non-local law enforcement from accessing non-public areas of City property and creating a framework to protect identifying information.

These laws recognize the importance of distinguishing local law enforcement from federal immigration authorities, while allowing cooperation where it advances public safety. This is a priority for this Administration. We believe that all New Yorkers are safer when everyone, including immigrants, feels comfortable interacting with NYPD and accessing City services.

We agree with the bill's goal of ensuring that the City does not act in a way that creates confusion about our role in immigration enforcement. We look forward to working with you to realize that goal while ensuring that the City can continue providing goods and services to agencies engaged in important criminal justice work or counter-terrorism.

Based on our review, we have determined that at present there are two City agreements with the Department of Homeland Security (DHS) that could be affected by the proposed bill. Neither is related to civil immigration enforcement. Recent reporting also mentioned a third agreement, which, as I will explain, is not between the City and DHS.

The first active agreement is an MOU with the NYPD for the use of its Rodman's Neck firing range in the Bronx. This MOU allows ICE HSI to use the firing range for its own training. As I mentioned earlier, ICE HSI conducts various crucial anti-terrorism, anti-trafficking, and criminal justice activities, and it is separate from ICE ERO, which is tasked with civil immigration enforcement. NYPD also has similar arrangements with other City, State, and federal law enforcement agencies that use the range.

The other contract is between the Department of Health and Mental Hygiene (DOHMH) and DHS. The DOHMH Public Health Laboratory is a "host lab" for the DHS Office of Health



Affairs BioWatch program, for purposes of monitoring the air for agents likely to be used in a bioterrorism attack. This contract serves extremely important national security interests, and is unrelated to civil immigration enforcement.

A recent news article on this topic also discussed the Hudson River Park Trust's rental of parking spots to ICE. The Trust is not a City agency and the City does not control or direct its contracts.

We look forward to working with the Council to ensure that the City can continue to work with federal agencies for the purpose of combatting terrorism and engaging in criminal justice work. In addition, we will work with you to ensure that the City may continue to contribute to the many interagency task forces it is a part of that are engaged in crucial criminal justice and national security work.

Conclusion

The de Blasio Administration supports wholesale replacement of ICE, and immigration enforcement more broadly. We need a system that promotes public safety and national security, not a system that characterizes all immigrants as threats.

Similarly, we will continue to work with the Council to ensure Intro. 1092 builds on recent legislation in providing for adequate restrictions on cooperation with civil immigration enforcement while guaranteeing that important counter-terrorism and criminal justice work appropriately continues.

We look forward to speaking further with the Council about these two important issues. I am happy to take any questions.

TESTIMONY OF
JAKE DAVID LARAUS, ESQ.¹

Presented before

The New York City Council

Committee on Immigration

Oversight Hearing on “Abolish ICE”

September 6, 2018 at 1:00 PM

Good afternoon. Thank you to Chairman Menchaca and the other members of the Committee on Immigration for inviting me to discuss my experiences and insight today. My name is Jake LaRaus. I am a practicing immigration attorney, working primarily in the areas of deportation defense, family-based immigration, and humanitarian relief. In my personal capacity, I have also been involved in immigration-related policy development and legislative advocacy on the Hill.

In both my day-to-day professional life and personal advocacy efforts, I have had the opportunity to bear witness to the practices and policies of the U.S. Immigration and Customs Enforcement (ICE) and consequently have come to an unavoidable, unmistakable conclusion: ICE is broken. As a federal agency, as a law enforcement body, as a tangible real-world standard-bearer for American immigration law and policy, ICE has proven to be supremely – and likely irreparably – flawed. Since the new administration took over slightly more than a year and a half ago, ICE has repeatedly and increasingly given into its worst impulses and unapologetically shoved aside the better angels of bureaucratic prudence and good sense. In doing so, it has left a dark, indelible mark on the immigrant communities within which it operates and the country it claims to protect.

Perhaps it should not have been surprising that, slightly more than fifteen years after the agency opened its doors, ICE has reached this ignominious nadir. Conceived in the shadow of 9/11 and installed within the bloated corpus of the new Department of Homeland Security (DHS) in 2003, the Bureau of Immigration and Customs Enforcement (as it was then known) was a Frankenstein’s monster made up of parts taken from the INS, Treasury Department, General Services Administration, and Transportation Security Administration.² Because of the hard-edged national security mission of the DHS, ICE and its sister agencies within the Department were forged in the thematic fires of “Protecting the Homeland,” and thus

¹ Associate attorney and Immigration Policy Advocacy Coordinator for Youman, Madeo & Fasano, LLP. Licensed in New Jersey. Practice limited to immigration. The testimony presented herein, as well as the oral testimony offered in conjunction, solely reflects the beliefs of the witness and no other individual or entity.

² See Shikha Dalmia, “Abolish ICE,” *Reason*, <https://reason.com/archives/2018/06/11/abolish-ice> (June 11, 2018); see also Jo Moreland, “Immigration, Customs to Include Air Marshals for Better Security,” *The San Diego Union-Tribune*, <http://www.sandiegouniontribune.com/sdut-immigration-customs-to-include-air-marshals-for-2003sep04-story.html> (Sept. 4, 2003).

their individual agency mandates were purposefully rooted in an aggressive post-9/11 national security mentality. In ICE's case in particular, this institutional lens was paired with a distaste for oversight and transparency from the outset of its existence, initially exemplified in the confirmation hearings of the agency's first director, during which he unflinchingly confirmed Senator Edward Kennedy's supposition that he "d[id] not support" including the agency's "enforcement issues" in the oversight scope of the DHS's new ombudsman.³

Under President Obama, immigration enforcement was undeniably heightened in the first several years of his administration, but thereafter an undeniable degree of reasoned restraint was forcefully injected into the day-to-day operations of ICE. Rational and logical enforcement priorities were implemented to bring some common sense to the agency's expending of finite government resources; individuals who were threats to national security or serious threats to public safety were prioritized, while law-abiding undocumented individuals – the soccer moms, the working dads, the tax-paying grandparents – were deprioritized.⁴ Prosecutorial discretion became a favored phrase in immigration court, as it was understood that the monumentally overburdened immigration court system had better things to do than waste precious time and energy presiding over the removal proceedings of people with clean records, people who pay their taxes, people who were contributing to the economy and caring for their families.

This is not the world in which we live today.

At present, ICE is the tip of the spear of the Trump Administration's growing war on non-citizens, documented and undocumented alike. The sound enforcement priorities implemented under President Obama were senselessly scrapped within weeks of Inauguration Day and were replaced with priorities so broad and open-ended that they encompass every undocumented individual in the United States.⁵ ICE agents now storm into schools,⁶ hospitals,⁷ courts,⁸ and houses of worship⁹ in search of any and all non-citizens with possible or suspected problems with their legal status. The agency also serves as a willing vehicle for the President's racist and xenophobic flights of fancy, carrying out elaborate enforcement

³ *Nominations of Michael J. Garcia to be Assistant Secretary for Immigration and Customs Enforcement, Department of Homeland Security and Jack Landman Goldsmith III to be Assistant Attorney General, Office of Legal Counsel, Department of Justice: Hearing Before the S. Comm. on the Judiciary*, 108th Cong. 27 (2003).

⁴ See Memorandum from John Morton, Dir., ICE, Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens (Mar. 2, 2011); see also Memorandum from Jeh C. Johnson, Sec'y, DHS, Policies for the Apprehension, Detention and Removal of Undocumented Immigrants (Nov. 20, 2014).

⁵ See Memorandum from John Kelly, Sec'y, DHS, Enforcement of the Immigration Laws to Serve the National Interest, at 2 (Feb. 20, 2017); see also Memorandum from Matthew T. Albence, Exec. Assoc. Dir., ICE, Implementing the President's Border Security and Interior Immigration Enforcement Priorities, at 1 (Feb. 21, 2017) ("Effective immediately, ERO officers will take enforcement action against all removable aliens encountered in the course of their duties.").

⁶ Madina Toure, "Queens Rep 'Seeking Answers' After Immigration Agent Seeks Fourth Grader in Maspeth," *Observer*, <http://observer.com/2017/05/queens-congresswoman-meng-ice-uscis-immigration-elementary-school/> (May 14, 2017).

⁷ See David M. Perry, "ICE Keeps Raiding Hospitals and Mistreating Disabled Children," *Pacific Standard*, <https://psmag.com/social-justice/ice-keeps-raiding-hospitals-and-harming-disabled-children> (Jan. 15, 2018); see also Jorge Rivas, "Hospitals Now Have to Train to Keep ICE Agents Out of Their Buildings," *Splinter*, <https://splinternews.com/hospitals-now-have-to-train-to-keep-ice-agents-out-of-t-1825048010> (Apr. 6, 2018).

⁸ Dara Lind, "Around the Country, ICE is Arresting Immigrants When They Show Up to Court," *Vox*, <https://www.vox.com/policy-and-politics/2017/4/11/15180140/immigrants-arrested-courthouses-ice> (Aug. 7, 2017).

⁹ Jeff Goldberg, "Pushback from Political Leaders After ICE Immigration Arrests Outside Church in Va.," *WJLA*, <https://wjla.com/news/local/pushback-from-political-leaders-after-ice-immigration-arrests-at-church-in-va> (Mar. 2, 2017).

operations in our own backyard to the beat of Trump's fear-mongering MS-13 drum and detaining teenagers – mere children – on dubious gang affiliation charges because they made the mistake of wearing the wrong hat or the wrong pair of sneakers in a Facebook photo.¹⁰ This callousness has also extended to ICE's legal arm, which contains the cadre of agency attorneys who represent the federal government during removal proceedings in immigration court. Once the more civilized and level-headed side of the ICE coin, the agency's trial attorneys have now been charged with "pursu[ing] nearly all removal cases to completion" and opposing virtually all efforts by respondents in immigration court or their attorneys for continuances, temporary closure of the case, or similar requests.¹¹ With prosecutorial discretion all but dead, ICE attorneys are also resurrecting old cases closed under prosecutorial discretion during the Obama Administration and putting those people straight back into proceedings.¹²

In my practice as an immigration attorney, these are all things I have seen befall many of our clients over the last year and a half. From surprise detentions at visa interviews to unreasonable intransigence in immigration court to aggressive pushback at reporting appointments with Enforcement and Removal Operations (ERO) officers (which used to be fairly routine), the fish rots from the head – the President, the Secretary of Homeland Security, the Director of ICE – but the sickness extends throughout to all parts of the agency.

As the calls for abolishing ICE began to emerge in recent months, I began to ask myself how I felt about this new cause célèbre among certain immigration advocates and immigrants' rights activists. On the one hand, the animating problems of our current predicament have largely been caused by members of the Executive Branch outside of ICE or political appointees installed in ICE by said Executive Branch members. A new Democratic president who is in tune with these worsening circumstances could, with a firm hand and reform-minded appointees in DHS and ICE, reign in these excesses and abuses in the hopes of returning to some tolerable degree of normalcy. Similarly, an efficient, eagle-eyed Congress with a clear dedication to its apolitical oversight roles could earnestly work to root out the bellicosity and destructive overreach exhibited by the agency. And yet, even in this hypothetical aspirational world, such efforts would very likely be insufficient.

Faced with the futility of oversight and intra-agency reform, there is only one rational alternative: abolishing ICE, or more specifically – to steal a phrase from the Republicans – "repeal and replace." It is now hard to deny that we have reached the point of no return for this agency. From a toxic agency culture¹³

¹⁰ See Laila L. Hlass & Rachel Prandini, *Deportation by Any Means Necessary: How Immigration Officials are Labeling Immigrant Youth as Gang Members*, Immigrant Legal Resource Center (2018), available at https://www.ilrc.org/sites/default/files/resources/deport_by_any_means_nec-20180521.pdf; see also Jonathan Blitzer, "The Teens Trapped Between a Gang and the Law," *The New Yorker*, <https://www.newyorker.com/magazine/2018/01/01/the-teens-trapped-between-a-gang-and-the-law> (Jan. 1, 2018).

¹¹ See Randy Capps et al., *Revving Up the Deportation Machinery: Enforcement and Pushback Under Trump*, Migration Policy Institute, at 51-52 (May 2018), <https://www.migrationpolicy.org/research/revving-deportation-machinery-under-trump-and-pushback>.

¹² See Beth Fertig, "Trump Administration Reviewing Thousands of Deportation Cases Once Put on Pause," *WNYC*, <https://www.wnyc.org/story/trump-administration-reviewing-thousands-deportation-cases-once-put-pause/> (May 7, 2018).

¹³ Declarations from the ongoing lawsuit brought by the State of Washington against the Trump Administration for its family separation policy evince rampant prejudice and dehumanizing rhetoric within the agency, with ICE agents telling detained individuals that "we don't want you in our country" and "don't you know that we hate you people?" See https://agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Another/News/Press_Releases/motion%20declarations%201-33.pdf.

– which one veteran ICE agent told the *New Yorker* amounts to “contempt that I’ve never seen so rampant towards the aliens”¹⁴ – to use of the agency’s bully pulpit to intentionally lie to the public¹⁵ to the abuses previously outlined, the conduct and candor of ICE very much seems to be baked into the fabric of the fifteen-year-old agency. Without recourse to fundamentally repair the integrity of the agency, a growing number of elected officials have supported the calls to abolish ICE and replace it with a new, better-functioning version.¹⁶ Allies for this cause have even been found among the agency’s own ranks, as leaders of ICE’s criminal investigation arm, Homeland Security Investigations (HSI), have lamented the “sidelining” of its duties in favor of immigration enforcement¹⁷ and previously called on DHS Secretary Kirstjen Nielsen to separate HSI from the enforcement arm due to the undermining of its “investigative independence.”¹⁸

Just as support for abolishing ICE is animated by both policy concerns and communal values, so too are local measures seeking the limitation or proscription of municipal cooperation with the agency motivated by these same forces. When ICE officers are invading sensitive locations throughout our city, bullying non-citizens and citizens alike, and injecting a visceral fear into the community with their haphazard undiscerning enforcement efforts, it is reasonable to expect local elected officials to stand up for their constituents, their neighbors, their friends. It is an act of both political responsibility and personal courage to stand up for one’s fellow New Yorkers in such a manner and impose a cost in response to damaging agency behavior.

This is thus the path forward for us: to have “an honest discussion,” as *Slate*’s Jamelle Bouie wrote, “about whether ICE can be effectively reformed or if it must be abolished and replaced by an agency that can carry out its mission in a more effective and humane way.”¹⁹ Based on my professional experiences as an immigration attorney and the documented actions of the agency over the last year-and-a-half, I find myself unavoidably supporting the latter. Last year, then-ICE Acting Director Thomas Homan told Congress that undocumented immigrants “should be uncomfortable” and “look[ing] over [their] shoulder[s].”²⁰ More than a year later, I sincerely hope that ICE’s leadership is uncomfortably looking over its own shoulder, as political accountability is on the horizon and moving ever closer.

¹⁴ Jonathan Blitzer, “A Veteran ICE Agent, Disillusioned with the Trump Era, Speaks Out,” *The New Yorker*, <https://www.newyorker.com/news/news-desk/a-veteran-ice-agent-disillusioned-with-the-trump-era-speaks-out> (July 24, 2017).

¹⁵ See Bill Chappell, “ICE Spokesman Quits Over Leaders’ Use of ‘Misleading Facts’ to Discuss Calif. Arrests,” *NPR*, <https://www.npr.org/sections/thetwo-way/2018/03/13/593104213/ice-spokesman-quits-over-leaders-use-of-misleading-facts-to-discuss-calif-arrest> (Mar. 13, 2018).

¹⁶ See Daniella Diaz, “These Democrats Want to Abolish ICE,” *CNN*, <https://www.cnn.com/2018/07/02/politics/abolish-ice-democrats-list/index.html> (July 3, 2018).

¹⁷ Chantal Da Silva, “ICE Has Quietly Changed Leadership, Promoting Deportation Chief and ‘Sidelining’ Investigative Unit,” *Newsweek*, <https://www.newsweek.com/ice-has-quietly-changed-leadership-promoting-deportation-chief-and-sidelining-1052900> (Aug. 1, 2018).

¹⁸ See Nick Miroff, “Seeking a Split from ICE, Some Agents Say Trump’s Immigration Crackdown Hurts Investigations and Morale,” *The Washington Post*, https://www.washingtonpost.com/world/national-security/seeking-split-from-ice-agents-say-trumps-immigration-crackdown-hurts-investigations-morale/2018/06/28/7bb6995c-7ada-11e8-8df3-007495a78738_story.html?utm_term=.0c72c4d1b6c2 (June 28, 2018).

¹⁹ Jamelle Bouie, “ICE Unbound,” *Slate*, <https://slate.com/news-and-politics/2018/01/ice-is-out-of-control.html> (Jan. 29, 2018).

²⁰ Maria Sacchetti, “ICE Chief Tells Lawmakers Agency Needs Much More Money for Immigration Arrests,” *The Washington Post*, https://www.washingtonpost.com/local/social-issues/ice-chief-tells-lawmakers-agency-needs-much-more-money-for-immigration-arrests/2017/06/13/86651e86-5054-11e7-b064-828ba60fbb98_story.html?utm_term=.1d5cec1de4cd (June, 13, 2017).



CAIR
NEW YORK

46-01 20th Avenue
Astoria, New York 11105

Council on American-Islamic Relations

www.cair-ny.org | (646) 665-7599

**STATEMENT OF
ALBERT FOX CAHN, ESQ.
LEGAL DIRECTOR
COUNCIL ON AMERICAN-ISLAMIC RELATIONS, NEW YORK, INC.**

**BEFORE THE
COMMITTEE ON PUBLIC SAFETY
NEW YORK CITY COUNCIL**

**FOR A HEARING CONCERNING
OVERSIGHT – ABOLISH ICE
PRECONSIDERED INT – IN RELATION TO PROHIBITING NEW YORK CITY
FROM CONTRACTING WITH ENTITIES ENGAGED IN IMMIGRATION
ENFORCEMENT**

**PRESENTED
Thursday, September 6, 2018**

Good morning, my name is Albert Fox Cahn, and I serve as the Legal Director for the New York Chapter of the Council on American-Islamic Relations (“CAIR-NY”). CAIR-NY is a leading civil rights advocacy organization for the Muslim community here in New York City and across New York State. I speak in support of the pre-considered introduction, prohibiting City contracts with immigration enforcement entities. We are proud to partner with the Council and community leaders to confront discriminatory immigration enforcement agencies that operate without transparency, public accountability, or adherence to the basic rule of law. After all, these dehumanizing efforts are often aimed at Muslim New Yorkers and other historically marginalized communities.

While the pre-considered initiative is a crucial step, it is just one of many needed to protect our city from the Trump Administration’s campaign against immigrant communities. Crucially, the Council must also address the myriad of ways that the New York City Police Department (“NYPD”) directly and indirectly aids U.S. Immigrations and Customs Enforcement (“ICE”). Yes, the City’s laws bar NYPD officers from enforcing immigration laws, but they still can collect the information ICE uses to target so many New Yorkers.

At the start of this year, Mayor Bill de Blasio reiterated his promise “that our police officers and employees will not be a part of a federal deportation force.”¹ However, just a few months later, we learned that ICE’s New York office targeted individuals fingerprinted by the NYPD,² demanding that these New Yorkers appear at ICE’s office, and placing many in deportation proceedings. City leaders widely denounced the letters as a “new low”, but they are just one example of how the NYPD can aid ICE’s campaign against immigrant New Yorkers.

The NYPD’s sweeping surveillance of communities of color is innately intertwined with immigration enforcement; it is impossible to address one without addressing the other. The NYPD’s deployment of novel and highly invasive surveillance technologies potentially give ICE new ways to track thousands, even millions of New Yorkers. Just today, news broke that the NYPD provided IBM with video footage of thousands of New Yorkers, images taken without their knowledge or consent. IBM allegedly used the footage to improve its artificial intelligence software’s ability to racially profile individuals.³

¹ De Blasio Administration Announces Citywide Guidance and NYPD Protocol to Codify Restrictions on Assistance with Federal Immigration Enforcement, Jan. 31, 2018.

² Ryan Devereaux, John Kniefel, *ICE Evades Sanctuary Rules by Using NYPD Fingerprints to Find Immigrants and Send Them Call-in Letters*, THE INTERCEPT, Apr. 26, 2018, <https://theintercept.com/2018/04/26/ice-sends-threatening-letters-to-immigrants-increasing-climate-of-fear-in-new-york-city/>.

³ *George Joseph, Kenneth Lipp, IBM Used NYPD Surveillance Footage to Develop Technology That Lets Police Search by Skin Color*, THE INTERCEPT, Sep. 6, 2018, <https://theintercept.com/2018/09/06/nypd-surveillance-camera-skin-tone-search/>

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The NYPD was able to deploy tools like “stingrays,” fake cell towers that collect sensitive location and communications data.⁴ Like many of the NYPD’s new tools, stingrays spy not only on the target of an investigation, but also on untold numbers of innocent bystanders.⁵ Without accountability and transparency for the collection, retention, and sharing of the data of New York citizens, there can be no meaningful commitment that ICE does not have access to that data, and no way to assure that New York City is not empowering the federal deportation force.

In another alarming case, earlier this year, NYPD renewed a contract with the private firm Vigilant Solutions, exchanging information from automated license plate readers. While any such partnership raises serious concerns, such concerns intensified following reports in January that ICE had contracted with the very same vendor to gain access to real-time license plate information from across the country.⁶ The use of private companies as intermediaries for data collection allows ICE to circumvent sanctuary city restrictions, potential making New York’s license plate technologies a tool for immigration enforcement.⁷ We have been given assurances that the NYPD contract protected New Yorkers’ location data, and I appreciate those promises, but we need more than assurances, we need comprehensive protections for immigrant New Yorkers.

While we know about license plate readers, the NYPD purchased countless other tools with private and federal funds, circumventing any disclosure to the lawmakers we depend on to oversee our police forces. One measure that CAIR-NY supports in response is the POST Act, which would be an important step forward in the stand against abusive immigration enforcement practices, and would do so by strengthening police oversight, promoting public safety, and safeguarding New Yorkers’ privacy rights.

Under the POST Act, the NYPD must issue an “impact and use policy” report when choosing to use a new surveillance tool.⁸ This report must describe the technology, rules, and guidelines for the use of

⁴ Joseph Goldstein, *New York Police Are Using Covert Cellphone Trackers, Civil Liberties Group Says*, N.Y. TIMES, Feb. 11, 2016, <https://www.nytimes.com/2016/02/12/nyregion/new-york-police-dept-cellphone-tracking-stingrays.html>.

⁵ *Id.*

⁶ Russell Brandom, *Exclusive: ICE is about to start tracking license plates across the US*, THE VERGE, Jan. 26, 2018, <https://www.theverge.com/2018/1/26/16932350/ice-immigration-customs-license-plate-recognition-contract-vigilant-solutions>.

⁷ Pete Bigelow, *License-Plate Readers May Help Target Illegal Immigrants, Or You*, CAR AND DRIVER, Jan. 31, 2018, <https://www.caranddriver.com/news/license-plate-readers-may-help-target-illegal-immigrants-or-you>.

⁸ N.Y. CITY COUNCIL 1482 § 1 (N.Y. 2017), ch. 1, 14 ADMIN. CODE OF N.Y.C. § 14-167(b) (as proposed)

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that technology, and safeguards for protecting any data collected.⁹ The City Council and the people of New York City would then be allowed to provide feedback on such an acquisition.¹⁰ Thus, the POST Act strikes a delicate balance, requiring sufficient information to ensure oversight, while protecting operational details, sources, and methods.

The POST Act will benefit all New Yorkers, but it will offer particularly powerful protection for our Muslim neighbors. For years, Muslim New Yorkers have faced a pattern of unjust and unconstitutional NYPD surveillance. Specifically, the NYPD's Intelligence Division engaged in extensive, suspicionless surveillance of majority Muslim neighborhoods and Muslim families.¹¹ Additionally, NYPD officials have conducted blanket surveillance of entire mosques, surveilling men, women, and children for nothing more than practicing their faith.¹² Some local businesses were even classified as "place[s] of concern" for nothing more than having customers of Middle Eastern descent.¹³

In addition, Muslim New Yorkers who opened their doors to law enforcement, hoping to help their community, frequently were rewarded with suspicion and surveillance. In one example, Sheikh Reda Shata welcomed FBI agents and NYPD officers into his mosque, trying to build a bridge between the community and law enforcement, but was nonetheless monitored by an undercover police officer.¹⁴

These tragic accounts are not anomalous, they reflect an ongoing pattern of discriminatory police conduct. According to the Office of the Inspector General for the NYPD ("OIG"), over 95% of recent NYPD political and religious investigations targeted Muslim individuals and organizations.¹⁵

⁹ *Id.* at 14-167(a) (as proposed)

¹⁰ *Id.* at 14-167(e-f) (as proposed)

¹¹ Matt Apuzzo & Joseph Goldstein, *New York Drops Unit That Spied on Muslims*, N.Y. TIMES, Apr. 15, 2014, https://www.nytimes.com/2014/04/16/nyregion/police-unit-that-spied-on-muslims-is-disbanded.html?_r=0; *see also* DIALA SHAMAS & NERMEEN ARASTU, MUSLIM AM. CIVIL LIBERTIES COAL., CREATING LAW ENF'T ACCOUNTABILITY & RESPONSIBILITY & ASIAN AM. LEGAL DEF. & EDUC. FUND, MAPPING MUSLIMS: NYPD SPYING AND ITS IMPACT ON AMERICAN MUSLIMS 10 (2013), <https://www.law.cuny.edu/academics/clinics/immigration/clear/Mapping-Muslims.pdf>.

¹² Apuzzo & Goldstein, *supra* note 7.

¹³ Adam Goldman & Matt Apuzzo, *NYPD: Muslim Spying Led to No Leads, Terror Cases*, ASSOCIATED PRESS, Aug. 21, 2012, <https://www.ap.org/ap-in-the-news/2012/nypd-muslim-spying-led-to-no-leads-terror-cases>.

¹⁴ Eileen Sullivan, *NYPD Spied on Anti-terror Muslim Leader as He Dined with Bloomberg*, NBC NEWS, Oct. 6, 2011, https://www.nbcnews.com/id/44796663/ns/us_news-life/t/nypd-spied-anti-terror-muslim-leader-he-dined-bloomberg/.

¹⁵ OFFICE OF THE INSPECTOR GEN. FOR THE N.Y. POLICE DEP'T, N.Y. CITY DEP'T OF INVESTIGATION, AN INVESTIGATION OF NYPD'S COMPLIANCE WITH RULES GOVERNING INVESTIGATIONS OF POLITICAL ACTIVITY 1 n.1 (2016), https://www1.nyc.gov/assets/oignypd/downloads/pdf/oig_intel_report_823_final_for_release.pdf. In

(Cont'd on following page)

The pattern of discriminatory surveillance is completely at odds with the fact that the overwhelming majority of terrorist attacks in the United States are committed by right-wing extremists and white supremacists. Let me repeat that fact, since it is so often lost in our media environment: right-wing extremists and white supremacists commit the overwhelming majority of terrorist attacks in the United States. That is not CAIR-NY's finding; that is the conclusion of groups ranging from the Anti-Defamation League, to the Southern Poverty Law Center, to the U.S. General Accountability Office.¹⁶

In contrast to the undercover practices documented above, the novel NYPD surveillance practices governed by the POST Act often are completely invisible to the target, making them much more dangerous to our freedom of speech and religion. The need for oversight is only heightened by the NYPD's clear track record of disregarding those few existing restrictions on surveillance of protected First Amendment activity. According to the OIG, over half of NYPD intelligence investigations continued even after the legal authorization for them expired.¹⁷ Also, the OIG found that the NYPD frequently violated legal guidelines governing these investigations in other ways, such as through its use of boilerplate language in undercover officer authorization forms.¹⁸

Unfortunately, last year's sanctuary city privacy laws, Initiatives 1557-A and 1588-A, largely exempted the NYPD from the privacy guarantees that many hoped would safeguard immigrant New Yorkers. These bills enacted comprehensive protection against information-sharing with third parties, including the federal government, but then completely exempted the NYPD from their terms.¹⁹ We must not replicate that oversight.

Ultimately, while the pre-considered initiative today is a crucial step, it is just one of many needed to protect our city from the Trump Administration's campaign against immigrant communities. The Council must also address the myriad of ways in which the NYPD assists ICE. I thank you for giving

its investigation, the OIG reviewed a random selection of 20% of cases closed or discontinued between 2010 and 2015 of each case type. *Id.* at 14.

¹⁶ U.S. GOV'T ACCOUNTABILITY OFFICE, GAO-17-300, COUNTERING VIOLENT EXTREMISM: ACTIONS NEEDED TO DEFINE STRATEGY AND ASSESS PROGRESS OF FEDERAL EFFORTS 4 (2017), <https://www.gao.gov/assets/690/683984.pdf>; David Neiwert, *Trump's Second Travel Ban Once Again Misidentifies Source of Domestic Terrorist Threat*, SOUTHERN POVERTY LAW CENTER (Mar. 13, 2017), <https://www.splcenter.org/hatewatch/2017/03/13/trumps-second-travel-ban-once-again-misidentifies-source-domestic-terrorist-threat>; *Murder and Extremism in the United States in 2016*, ANTI-DEFAMATION LEAGUE, <https://www.adl.org/education/resources/reports/murder-and-extremism-in-the-united-states-in-2016> (last visited June 13, 2017).

¹⁷ OFFICE OF THE INSPECTOR GEN. FOR THE N.Y. POLICE DEP'T, *supra* note 25, at 1.

¹⁸ *Id.* Such conduct undermines the ability of independent bodies to effectively review police compliance with legal guidelines. *Id.* at 2.

¹⁹ N.Y.C. Admin. Code. § 23-1202(d)(1)(a) "This subdivision shall not require any such notification where the collection or disclosure is by or to the police department in connection with an open investigation of criminal activity;"

Statement of Albert Fox Cahn, Esq.

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me the opportunity to address these urgent issues, and I look forward to working with the Council to safeguard the rights all New Yorkers targeted by the President's deportation initiatives.



TESTIMONY OF:

**Nyasa Hickey – Supervising Attorney, Immigration Practice
BROOKLYN DEFENDER SERVICES**

**Presented before
The New York City Council
Committees on Immigration and Youth Services
Oversight Hearing on Abolish ICE
Int. 1092-2018 & Resolution on Abolish ICE**

September 6, 2018

I. Introduction

My name is Nyasa Hickey. I am a Supervising Attorney of the Immigration Practice at Brooklyn Defender Services (BDS). I thank the City Council for this opportunity to testify about the Abolish ICE movement and the many ways that Immigration and Customs Enforcement (ICE) actively harms New York City and our immigrant communities.

Brooklyn Defender Services (BDS) is a full-service public defender office in Brooklyn, representing nearly 35,000 low-income New Yorkers each year who are arrested, charged with abuse or neglect of their children or face deportation. Since 2009, BDS has counseled, advised or represented more than 10,000 immigrant clients. We are a Board of Immigration Appeals-recognized legal service provider.

BDS strongly supports the Abolish ICE movement. The civil and human rights violations perpetrated by ICE against immigrants and people of color are longstanding and well-

documented.¹ But we believe that our immigration system requires a complete overhaul in order to end these abuses. Simply initiating a bureaucratic reorganization of ICE is not sufficient. We call on the City Council to join with us to demand a fundamental transformation of our immigration system to one that recognizes the humanity of all people and that upholds the values of equal justice and due process for all.

Dismantling of the current immigration system will require a different Congress and President committed to true reform. *Until this transformation becomes a political reality, we urge the Council to proceed with caution in determining which temporary measures to support.* In particular, we will focus our testimony below on the harm that closing down New York City-area detention centers would have for our clients and their families. We look to the Council for your support in this advocacy work.

The New York City Council has led the nation in efforts to protect and support immigrant communities. The first-in-the-nation public defender program for detained immigrants facing deportation, the New York Immigrant Family Unity Project (NYIFUP), is a model for legal services provision that is now being replicated in jurisdictions across the country.² NYIFUP representation has resulted in a 1,100% increase in the success rate for NYIFUP clients, as compared to New York City residents facing deportation prior to NYIFUP. Since the project's inception in 2013, NYIFUP has reunified more than 750 people with their families and helped more than 400 New Yorkers gain or maintain work authorization by winning their immigration cases. The Vera Institute of Justice projects that these successful outcomes will produce tax revenue from this cohort of NYIFUP clients of \$2.7 million each and every year, for years to come.³ In addition, the City invests millions of dollars every year for additional immigration legal services, English language lessons, citizenship outreach and education, and other programming that support the success of immigrant New Yorkers.

And yet despite these significant investments from the City, immigrant New Yorkers face increased risk of targeting and apprehension by ICE. First, we lay out the history of ICE and modern immigration policy to give the Council context about the system that our clients currently face. We then lay out many of the problematic practices that we see in New York City on a daily basis. Next we describe ways that the Council can advocate for fundamental system change while minimizing harm to New Yorkers currently caught up in the immigration deportation system. Finally, we offer our support for the two measures currently before the Council today.

¹ See, e.g., American Civil Liberties Union, *ICE and Border Patrol Abuses*, available at <https://www.aclu.org/issues/immigrants-rights/ice-and-border-patrol-abuses>.

² Learn more at Vera Institute of Justice, *SAFE Cities Network*, <https://www.vera.org/projects/safe-cities-network>.

³ Vera Institute of Justice, *Report Summary: Evaluation of the New York Immigrant Family Unity Project: Assessing the Impact of Legal Representation on Family and Community Unity* (Nov. 2017), available at <https://www.vera.org/publications/new-york-immigrant-family-unity-project-evaluation>.

II. Background

In the wake of 9/11, the U.S. Department of Homeland Security was formed to oversee “immigration enforcement actions to prevent unlawful entry into the United States and to apprehend and repatriate aliens who have violated or failed to comply with U.S. immigration laws.”⁴ Within DHS, Immigrations and Customs Enforcement (ICE) is responsible for immigration enforcement, detention, and removal. While abuses by ICE have garnered national attention, our country has a long and troubled history of persecuting immigrants. In our support of Abolish ICE, we also urge the City Council to support comprehensive immigration reform which is necessary to create humane immigration policies.

Historically, immigration policies addressed the civil process of determining who was eligible to cross borders or reside in the United States.⁵ The Reagan administration ushered in rhetoric of equating noncitizens with crime, relying on prejudice and stereotypes about immigrants present in this country from the United States’ earliest days.⁶ As tough on crime policies of the 1980s led to prison crowding, noncitizens increasingly became a scapegoat; the Reagan administration promoted anti-immigrant rhetoric focused on falsehoods such as immigrants’ economic burden on the citizen taxpayers a result of their presence in prisons, schools, and hospitals.⁷ The Reagan administration passed the Anti-Drug Abuse Act⁸ and the Immigration Reform and Control Act⁹, which expanded grounds for deporting noncitizens with drug conviction and created a system for deporting any noncitizens following prison sentences.¹⁰ These laws created a narrative that centered immigrants in discussions of drug use and crime, though immigrants were actually arrested at lower rates than citizens—which still holds true today.¹¹ This conceptual shift in the collective view of immigrants as criminal paved the way for more restrictive immigration laws.

The Immigrant Justice Network and NYU School of Law report *Dismantle, Don’t Expand: The 1996 Immigration Laws* outlines how three major bills passed and signed into law by President Clinton laid out the framework for ICE as we know it today.¹² First, the Antiterrorism and

⁴ Bryan Baker, *Immigration Enforcement Actions: 2016*, Department of Homeland Security Annual Report (Dec. 2017), available at <https://www.dhs.gov/immigration-statistics/enforcement-actions>

⁵ D’Vera Cohn, *How US Immigration Laws and Rules Have Changed Through History*, Pew Research Center RSS, (Sep. 2015), available at <http://www.pewresearch.org/fact-tank/2015/09/30/how-u-s-immigration-laws-and-rules-have-changed-through-history/>

⁶ See, e.g., Kenneth C. Davis, *Anti-Immigrant Rage Is Older than the Nation Itself*, NPR, May 25, 2010, available at <https://www.npr.org/templates/story/story.php?storyId=126565611>.

⁷ Donald Kerwin, *From IIRIRA to Trump: Connecting the Dots to the Current US Immigration Policy Crisis*, Journal on Migration and Human Security, (2018).

⁸ Pub. L. No. 99-570, 100 Stat. 3207 (1986.)

⁹ Pub. L. No. 99-603, 100 Stat. 3349 (1986).

¹⁰ Patricia Macías-Rojas, *Immigration and the War on Crime: Law and order politics and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996*. J. on Migration & Hum. Sec., 6, 1, (2018).

¹¹ Robert Adelman, et al., *Urban Crime Rates and the Changing Face of Immigration: Evidence Across Four Decades*, Journal of Ethnicity In Criminal Justice. 15 (2016).

¹² Bobby Hunter & Victoria Lee, *Dismantle, Don’t Expand: The 1996 Immigration Law*, Immigrant Justice Network and NYU School of Law Immigrant Rights Clinic, (2017). available online at https://www.immigrantdefenseproject.org/wp-content/uploads/1996Laws_FINAL_Report_5.10.17.pdf

Effective Death Penalty Act¹³ (AEDPA) “expanded the criminal grounds for deportation, limited relief from removal, restricted judicial review, and expanded mandatory detention.”¹⁴ Second, the Personal Responsibility and Work Opportunity Reconciliation Act¹⁵ barred immigrants from federal public benefits and allowed state and local government to impose additional restrictions.¹⁶ Finally, the Illegal Immigration Reform & Immigrant Responsibility Act¹⁷ (IIRIRA) created sweeping changes to immigration law. IIRIRA expanded the grounds for mandatory detention and removal, limited access to discretionary relief from removal, restricted avenues for relief from deportation and detention, authorized cooperation between federal immigration local law enforcement, and created funding for additional.¹⁸ Additionally, IIRIRA created income requirements for citizens trying to sponsor family members, created a provision to prevent poor immigrants who may become a “public charge,” and created multiyear bars from re-entry following deportation.¹⁹ These bills disproportionately impacted low-income immigrants of color. Broken Windows policing, as operationalized by the NYPD starting in the early 1990s, almost exclusively targeted people of color, new immigrants and other socially and economically marginalized groups.²⁰ For noncitizens, a single interaction with local law enforcement may trigger immigration detention and deportation.²¹

Following the passage of IIRIRA, the negative impact on immigrant families became clear. Income requirements to sponsor family members, mandatory bars on returning to the U.S. after deportation, and mandatory detention following deportation orders penalized dual-status families, long term residents and green card holders. Calls to reform this legislation (“Fix ‘96”) gained bipartisan support, including from the bill’s sponsor Rep. Lamar Smith.²² The campaign centered the need to “amend IIRIRA’s provisions concerning retroactive deportations, constraints on judicial review, mandatory detention, the use of secret evidence, and expedited removals.”²³

These efforts, however, were largely forgotten in the wake of 9/11. Following the terror attacks, the IIRIRA provisions which allowed for quick detention and deportation were again seen as keeping America safe. Widespread fear of crime and distrust of immigrants allowed Congress’s creation of DHS and ICE. Since September 11, 2001, we have seen the traumatic impact of enforcing IIRIRA. In particular, over the last few months, the public has become aware of the lived reality of ICE’s impact on immigrant individuals, families, communities and human rights principles. ICE is tearing apart families, deporting parents and spouses, and destabilizing low-

¹³ Pub. L. No. 104-132, 100 Stat. 1214 (1996).

¹⁴ Cohn, *How US Immigration Laws and Rules Have Changed Through History*.

¹⁵ Pub. L. No. 104-193, 110 Stat. 2105 (1996).

¹⁶ Hunter & Lee, *Dismantle, Don’t Expand*.

¹⁷ Pub. L. No. 104-208, 110 Stat. 3009-546 (1995)

¹⁸ Juliet Stumpf, *The Crimmigration Crisis: Immigrants, Crime, and Sovereign Power*, 56 AM. U. L. REV. 367 (2006).

¹⁹ Kerwin, *From IIRIRA to Trump*.

²⁰ *Statement of Shawn Blumberg, Broken Windows Policing and Protecting Immigrant New Yorkers*, Feb. 21, 2017 available online at <http://bds.org/wp-content/uploads/2017.2.21-Statement-by-Brooklyn-Defender-Services-on-Broken-Windows-Policing.pdf>

²¹ Hunter & Lee, *Dismantle, Don’t Expand*.

²² Macias-Rojas, *Immigration and the War on Crime*.

²³ *Id.*

income communities of color. In addition to calls to Abolish ICE, we encourage the City Council to work to create a humane immigration system that restores due process rights, allows judicial discretion, and treats immigrants with dignity.

III. ICE's Ramped Up Enforcement in New York City Immigrant Communities

The impact of enforcement policies at the federal level are felt every day by our immigrant clients, their families and New York City communities. The mass separation of parents and children at the border this spring and summer were one of the most publically visible and shocking example of the agency's actions, but their cruel and illegal enforcement tactics harm people in New York City, too. We have written about all of these practices at length in previous testimony²⁴, but list many of ICE's most pernicious practices here:

- Arrests
 - Increased ICE arrests in and around city courthouses, limiting access to the court system²⁵
 - Increased home and workplace raids in the community²⁶
 - Reliance on ruses and other nefarious means to lure targets into ICE custody²⁷
 - Effectuating arrests or entering private homes without judicial warrants²⁸
 - Racial profiling, including relying on unsubstantiated gang allegations²⁹
 - Detaining people at Order of Supervision (OSUP) check-ins³⁰
 - Re-arresting people who have won relief in immigration court but have not yet received their visas or green cards³¹
- Court Appearances
 - Abolishing in-person appearances at Varick Street Courthouse and requiring detained people to appear in court via Video Conferencing (VTC)³²
 - Failing to produce detained people for state court proceedings where writs are issued by the courts or prosecutors to ensure their appearance

²⁴ Please see our previous testimonies before the City Council, available on the Brooklyn Defender Services website at www.bds.org/#policy.

²⁵ See, e.g., Immigrant Defense Project, *Press Release: IDP Unveils New Statistics & Trends Detailing Statewide ICE Courthouse Arrests in 2017*, available at <https://www.immigrantdefenseproject.org/wp-content/uploads/ICE-Courthouse-Arrests-Stats-Trends-2017-Press-Release-FINAL.pdf>.

²⁶ Immigrant Defense Project, *ICEwatch: ICE Raids Tactics Map* (July 2018), available at <https://www.immigrantdefenseproject.org/wp-content/uploads/ICEwatch-Trends-Report.pdf>.

²⁷ *Id.*

²⁸ *Id.*

²⁹ Kavitha Surana, *How Racial Profiling Foes Unchecked in Immigration Enforcement*, PROPUBLICA, June 8, 2018, available at <https://www.propublica.org/article/racial-profiling-ice-immigration-enforcement-pennsylvania>.

³⁰ Saenz, March 15, 2017.

³¹ *Testimony of Andrea Saenz, Presented before the New York City Council Committee on Immigration Oversight Hearing on the Impact of New Immigration Enforcement Tactics on Access to Justice and Services*, March 15, 2017.

³² *Testimony of Nyasa Hickey, Presented before the New York City Council Oversight Hearing on the Impacts of the Trump Administration Family Separation Policy on New York*, July 12, 2018;

- Detention
 - Sub-standard detention conditions for detained immigrants
 - Insufficient access to medical care and mental health treatment³³
 - Insufficient or spoiled food³⁴
 - Damaged and insufficient clothing and hygiene products³⁵
 - Lack of access to programming and other supports
 - Lack of sufficient language services to facilitate communication with non-English-speaking detained people

Other actors in the immigration deportation system also frequently violate our clients' rights, and our concerns about their actions are listed in previous testimony before this committee. The combined effect of these injustices are that our clients are increasingly likely to be targeted for enforcement or swept up in mass raids, held for months or years without bond in horrible detention conditions. All of this occurs on top of harsh and unfair laws like IIRIRA that disproportionately punish low-income people of color.

IV. Urge Caution

Because of all of the harmful practices, policies and laws that we listed above, we urge the Council to remain committed, first and foremost, to advocating for reform that will not harm impacted communities. Robust funding for immigration legal services like NYIFUP are critical to keeping families together and we urge you to maintain and increase your financial support.

Brooklyn Defender Services has very serious concerns about the impacts of closing immigration detention facilities in Hudson, Essex and Bergen Counties in New Jersey on the people we represent. Local news outlets have recently reported on efforts by New Jersey residents to urge their local legislators to end detention contracts with ICE.³⁶ Ending mass immigration detention – or any immigration detention at all – is paramount, but simply closing these facilities, where detained people have access to free representation through NYIFUP will result in grave consequences for detained immigrants and their families.

If the New Jersey detention facilities end their contracts with ICE, New Yorkers arrested by ICE will be shipped off to distant facilities, perhaps several states away to rural areas. Outside of the New York City area and Varick Street Immigration Court, they will not have access to their families or a NYIFUP attorney. Families play a critical role in supporting detained people during the pendency of their case. The presence of a detained person's spouse, children and close family friends not only build up their loved one's morale, they also are frequently critical witness or are

³³ New York Lawyers for the Public Interest, *Detained and Denied: Healthcare Access in Immigration Detention* (2017), available at http://www.nylpi.org/wp-content/uploads/2017/02/HJ-Health-in-Immigration-Detention-Report_2017.pdf.

³⁴ Human Rights First, *Ailing Justice: New Jersey, Inadequate Healthcare, Indifference, and Indefinite Confinement in Immigration Detention* (Feb. 2018), available at <https://www.humanrightsfirst.org/sites/default/files/Ailing-Justice-NJ.pdf>.

³⁵ *Id.*

³⁶ Matt Katz, *Religious Leaders Sue to End Hudson County's ICE Contract*, WNYC NEWS, August 26, 2018, available at <https://www.wnyc.org/story/religious-leaders-sue-end-detention-ice-immigrants-hudson-county-jail/>.

able to collect evidence essential to prove a detained person's legal claim to remain in the U.S. with their family.

In New York City, NYIFUP representation, in which BDS is one of the three providers, has increased the likelihood of detained people winning their cases by a factor of 12 – from 4% to 48%. In addition to saving people from deportation, family dissolution, and worse, this program has shown that nearly half of the people arrested and detained by ICE have a legal claim to remain in their homes and communities here under the law.

NYIFUP achieves these incredible success rates because NYIFUP provides detained people with experienced and highly qualified deportation attorneys in immigration court. We are also funded by the Council to provide investigators, trained forensic social workers, expert witnesses, re-entry services, connections to rehabilitative programs and services, legal assistance from any of our other practice areas (including criminal defense, family defense and civil legal services) and federal court litigation expertise. These wraparound and inter-disciplinary advocacy and support will be lost to all detained people who are transferred far from New York City, effectively undercutting the Council's efforts to provide the right to counsel and due process to its residents.

Our concerns are not hypothetical: ICE detainees were transferred *en masse* from the San Francisco Bay Area after Contra Costa County ended its contract with ICE.³⁷ An ICE spokesperson spoke unequivocally that advocates should have anticipated this result:

“When we were notified of the decision, ICE made it abundantly clear in July that it would have to now rely on its national system of detention bed space to house detainees. When ICE is not allowed to work with local jurisdictions to house detainees closer to their families, friends and attorneys, farther facilities must be utilized.”³⁸

We recommend that the Council work with your counterparts in New Jersey (the Hudson, Bergen and Essex County Freeholders) and urge them to continue their contracts with ICE while improving conditions for detainees, including improving access to medical care, visitation and other measures. We also ask that you encourage Freeholders to require that jails identify people in immigration detention who have upcoming court dates so that NYIFUP can go to the facilities prior to the first court date to do screenings and intake, a process that has been fundamentally undermined since ICE has decided not to bring detained people to their hearings at Varick Street Immigration Courthouse. These and other informed advocacy efforts in collaboration with service providers such as NYIFUP could go a long way towards supporting immigrant New Yorkers and ensuring they are able to take advantage of NYIFUP representation.

V. Intro 1092 – Prohibiting NYC from Contracting with Entities Engaged in Immigration Enforcement

³⁷ Tatiana Sanchez, *Transfers of Contra Costa ICE Detainees Spark New Concerns*, THE MERCURY NEWS, Aug. 24, 2018, available at <https://www.mercurynews.com/2018/08/24/transfers-of-contra-costa-ice-detainees-spark-new-concerns/>.

³⁸ *Id.*

BDS strongly supports Int. 1092, a Local Law to amend the Administrative Code of the City of New York, in relation to prohibiting New York City from contracting with entities engaged in immigration enforcement. *Documented* recently reported that the city currently has two contracts with ICE totaling close to \$500,000 to allow ICE agents access to the NYPD firing range and parking for the ICE New York field office.³⁹ The two contracts in particular only serve to facilitate ICE arrests in immigrant communities across the city. For all of the reasons articulated earlier in our testimony, BDS calls on New York City to immediately end all contracts with ICE.

VI. Resolution on Federal Bill H.R. 6361 – Establishing a Humane Immigration Enforcement System Act

New York City Council Resolution 2018-2722 (preconsidered) calls on the federal government to pass the Establishing a Humane Immigration Enforcement System Act (H.R. 6361). The bill would establish a Commission tasked with establishing a humane immigration enforcement system, terminate Immigration and Customs Enforcement, and officially document the long history of abuses perpetrated by ICE.

While BDS supports many of the goals of HR 6361, we believe that it falls short in rectifying the harm caused by ICE because it would not repeal IIRIRA, significantly reduce funding for immigration enforcement, or increase due process protections for immigrants. We urge the Council to go a step further and urge Congress to make these changes, as well. Simply abolishing ICE, as we noted above, will not end the harm perpetrated by the federal government against our immigrant communities.

VII. Conclusion

Thank you for inviting me to testify and for considering my remarks today.

Please reach out to Andrea Nieves, Senior Policy Attorney at anieves@bds.org or 718-254-0700 ext. 387 if you have any additional questions.

³⁹ Felipe De La Hoz, *Exclusive: City Council Bill Calls for Ban on All Contracts With ICE*, DOCUMENTED, Aug. 28, 2018, available at <https://documentedny.com/2018/08/28/exclusive-city-council-bill-calls-for-ban-on-all-contracts-with-ice/>.



The Legal Aid Society
199 Water Street
New York, NY 10038
T (212) 577-3300
www.legal-aid.org

Blaine (Fin) V. Fogg
President

Adriene L. Holder
Attorney-in-Charge
Civil Practice

TESTIMONY BEFORE NEW YORK CITY COUNCIL'S COMMITTEE ON IMMIGRATION

Presented on September 6, 2018

My name is Hasan Shafiqullah and I am Attorney-in-Charge of the Immigration Law Unit (ILU) at The Legal Aid Society (LAS). Throughout our more than 140-year history, LAS has been a tireless advocate for those least able to advocate for themselves. Over 2,000 staff members operate across all five boroughs in our Civil, Criminal Defense, and Juvenile Rights Practices – guided by the fundamental principle that nobody should be denied justice because of poverty. Combining the expertise gained from representing clients across diverse areas of law with the broader public policy perspective of an advocacy group, we lift up marginalized individuals and give them the capacity to thrive and advance themselves and their families. Part direct legal services provider, part social justice defenders, we have a unique ability to go beyond individual issues to effect change at a societal level.

ILU, founded in the 1980s, provides legal representation to vulnerable New Yorkers seeking relief for themselves and their families. We assist those in detention and fighting unlawful deportations, and represent low-income individuals in gaining and maintaining lawful status. Combining this representation with affirmative litigation work, we strive to ensure that families are able to stay together and stabilize their living situations. Over the most recent year, ILU assisted in over 5,200 individual legal matters benefiting over 10,000 New Yorkers citywide.

Since the start of the Trump Administration, LAS has been on the frontline of efforts to defend New Yorkers against an overtly anti-immigrant federal administration that threatens to tear our communities apart. This year alone, we filed over two dozen habeas petitions in federal court, either seeking to end prolonged detention by U.S. Immigration and Customs Enforcement (ICE) or to prevent imminent deportation; filed a class action on behalf of children forcibly

separated by their families and facing removal by ICE; and filed or joined amicus briefs against the administration's harmful policies on administrative closure and continuances in immigration court, on access to abortions by young women detained by the Office of Refugee Resettlement, on the immigration consequences of vacated criminal convictions, and on the legality of Deferred Action for Childhood Arrivals. The administration's shifting immigration enforcement priorities and rapidly changing policies represent a direct assault on what it means to live in New York, in what has always been an international city built around the diversity fostered by a thriving immigrant community. While the leadership shown by the City in defending immigrant New Yorkers through initiatives such as expanding access to comprehensive legal services establishes New York City as among the most progressive in the nation, the current situation for immigrant New Yorkers represents a crisis point for our city in many ways.

The following case stories provides examples of two of our client families that have been impacted by the federal administration's unprecedented attacks on immigrants through ICE:

Mr. B

Mr. B was brought to the U.S. from Barbados as a legal permanent resident when he was six weeks old and grew up in New York and Florida. Mr. B derived U.S. citizenship through his parents, both of whom were naturalized citizens, but his application for citizenship was incorrectly denied in 2014.

He has three U.S. citizen children and has been training to become a stockbroker. When reentering the U.S. after visiting Barbados in 2016, Mr. B was held by Customs and Border Protection officers and was then detained by ICE on the basis of his criminal history. ICE held him in in detention for nearly 70 days before he was able to meet with LAS. This extended period in detention left Mr. B mentally exhausted and he was resigned to accepting a removal order to a country he had not lived in since he moved to the US as an infant. ILU attorneys convinced Mr. B to allow them to represent him, and were able to provide ICE with evidence establishing a probative claim to U.S. citizenship leading to his release within 48 hours of our filing a habeas petition in federal district court.

Despite this, ICE still tried to continue with Mr. B's deportation. LAS successful represented Mr. B and were able to have the removal proceedings

terminated, allowing him to stay in the U.S. Mr. B has since obtained his U.S. passport and is pursuing a civil damages action for unlawful detention.

Mr. L

Mr. L arrived in the U.S. on a visitor's visa in 1981 and had unsuccessfully applied for asylum. Following a criminal conviction, Mr. L was taken by ICE from his Brooklyn home in November 2016 and detained at the Hudson County Jail in New Jersey. Mr. L has a number of health issues, and while in ICE detention repeatedly requested necessary medical treatment for a serious wound he had under his foot. Despite his repeated requests, Mr. L failed to receive adequate medical treatment and his condition significantly worsened.

Following LAS advocacy, a judge agreed to release Mr. L on bond to receive outside medical treatment. By this point, Mr. L's condition had progressed to the point where doctors had to amputate one of his toes, with the possibility of further treatment being required in the future.

Inadequate medical care and a lack of appropriate training for staff has been a recurring problem at ICE facilities, with many detainees receiving improper and wrong diagnoses and failing to receive treatment in a timely manner.

A. Preconsidered Int - In relation to prohibiting New York city from contracting with entities engaged in immigration enforcement.

The federal government under President Trump has used ICE to attack marginalized communities across our city, with its dramatically changed enforcement priorities having a direct negative impact on the everyday lives of many of the most vulnerable New Yorkers. Initiatives such as the detainer law have limited the circumstances under which City agencies such as the New York City Police Department and Department of Corrections will cooperate with immigration authorities. While these do much to mitigate the potential harmful impact of the administration's actions, they do not go far enough in preventing the use of City resources from enabling hostile actions against its most marginalized residents. While ICE has its own investigatory capacity, it relies heavily on the resources of local governments and agencies to

support its enforcement actions. Immigration enforcement, however, is a matter of federal law, and deputizing local agencies and employees in those efforts breaks vital trust between the local government and its communities. It is a matter of principle that local government should first and foremost serve its local communities. Involving City agencies in federal immigration enforcement often prevents members of these communities from reporting crimes, engaging in court processes, or seeking City services for themselves or their families – all of which have wider negative impacts for New York as a whole.

LAS wholeheartedly supports this proposed law, which will help to ensure that the City limits the forms in which federal immigration authorities receive assistance from City agencies. The federal government has engaged in an unprecedented attack on immigrant communities across our nation, through actions ranging from the inhumane forced separation of families to the indiscriminate use of prolonged detention and stalking of non-citizens in our courthouses. Limiting the use of City resources to facilitate immigration enforcement ensures that New York will continue to protect its most vulnerable communities and function as a true sanctuary for immigrant New Yorkers. We are proud and grateful for the leadership shown by New York City in this regard, and look forward to continue to working together in this shared purpose.

B. Preconsidered Resolution - Calling upon the U.S. Congress to pass, and the President to sign, the Establishing a Humane Immigration Enforcement System Act (H.R. 6361), legislation that would abolish the U.S. Immigration and Customs Enforcement.

While ICE was originally conceived in the aftermath of the terrorist attacks of 9/11 as an agency with the remit to tackle threats to national security from international terrorism, under successive federal administrations its purpose has significantly diverged from this initial scope of operation. Under the Trump administration, it has cemented its transition from a law enforcement agency to a politicized entity that conducts systematic attacks on the most vulnerable members of society. Under the changed enforcement priorities introduced by the federal administration in January 2017, ICE has shifted from a sole focus on individuals posing a threat to national security to instead targeting undocumented immigrants indiscriminately. The potential threat to national security posed by an individual is therefore no longer part of the calculus undertaken by ICE when deciding where to focus its enforcement – despite ostensibly being tasked solely with protecting homeland security. Simultaneously, this shift in enforcement

priorities has been combined with a refusal to exercise discretion and a heightened belligerent and adversarial approach to enforcement. Together with inadequate oversight and widespread abuses of power, these developments have politicized and weaponized ICE as part of a broader hostile campaign by the federal administration against marginalized communities. Its unbridled and rabidly anti-immigrant activities now are totally outside of its original mandate and the purposes for which it was created, to the detriment of vulnerable New Yorkers across our city.

The impact of ICE enforcement activities upon communities in New York, which as a city has long been the entry point for millions of immigrants to our nation, cannot be overstated. We routinely represent families that have been torn apart through detention and deportation, even after the non-citizen loved one has lived in the U.S. for many years. This has even included individuals who are U.S. citizens and would have wrongfully faced deportation without our expert intervention. Additionally, ICE has substantially increased its enforcement activities in New York City Courts, from which it has brazenly abducted many LAS clients - including both those fighting their own cases and those appearing as material witnesses. This predatory presence in the court system runs counter to the principle equal access to courts for all, undermines constitutional guarantees of due process and access to counsel, and prevents many vulnerable individuals from accessing what is often their only mechanism to vindicate their rights. Above all, ICE actions are symptomatic of a dangerously reckless approach to immigration enforcement.

Immigration enforcement activities disproportionately impact those with the greatest social and economic need. Those involved are often among the most vulnerable populations, and have a range of complex social-service needs. Immigration enforcement issues require evaluative, thoughtful, and humane application of the law, taking a wide range of factors into account, rather than the indiscriminate removal and deportation now favored by ICE. The agency in its current form is incapable of performing these functions in a responsible and accountable manner, or even fulfilling its stated aim of protecting against threats to national security.

LAS supports this pre-considered resolution and fully endorses its spirit. Whether ICE is ultimately abolished or substantially and meaningfully reformed, we are proud to live in a sanctuary city that takes its commitment to supporting its vulnerable, immigrant communities seriously and understands the inherent complexity at play in matters of immigration enforcement.

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KATHRYN O. GREENBERG IMMIGRATION JUSTICE CLINIC

Peter L. Markowitz, *Director*
Professor of Law

(212) 790-0895
Fax (212) 790-0256

Lindsay Nash
Assistant Clinical Professor of Law

Jacqueline Pearce
Clinical Teaching Fellow

Hannah Robbins
Clinical Teaching Fellow

TESTIMONY OF LINDSAY NASH NEW YORK CITY COUNCIL: PRECONSIDERED RES. NO. 513 SEPTEMBER 6, 2018

My name is Lindsay Nash, and I co-teach the Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law. I thank the New York City Council and Council Member Menchaca for the opportunity to testify in support of Preconsidered Resolution 531 regarding the effort to abolish ICE and the role that ICE has played in our nation's history of immigrant enforcement.

In my role as a professor in a law school immigration clinic, I work directly with immigrant community members and community-based organizations in the New York City area. I also conduct academic research on a range of issues in immigration law, including immigration enforcement.

For the vast majority of people in America today, the concept of an immigration enforcement regime is synonymous with Immigration and Customs Enforcement (“ICE”), and the brutal tactics for which ICE is now known. But this is not our only option for a functional enforcement system. The picture that we see day after day in media reports and in our communities does not have to be what our immigration enforcement system looks like. For the majority of our history and even the majority of the time that the Immigration and Nationality Act—the statute that forms the basis of our immigration system—has governed immigration enforcement, ICE has not existed.¹ ICE and many of the tactics we currently associate with ICE are a relatively recent phenomenon.

¹ The Immigration and Nationality Act was enacted in 1952, which replaced the prior federal immigration statutory scheme. *See generally* Pub. L. 82-414, 66 Stat. 163. ICE, by contrast, was created in 2003 when the predecessor immigration-focused agency subcomponent—the Immigration and Naturalization Service—was eliminated and a number of its functions moved to the Department of Homeland Security. Homeland Security Act of 2002, P.L. 107-296, § 471(a).

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ICE was born out of a wave of national security hysteria, fear, and xenophobia.² For more than sixty years before, immigration-related services like naturalization and humanitarian programs, as well as enforcement were carried out by the Immigration and Naturalization Service.³ This meant that the entity charged with carrying out a range of functions under our immigration laws self-identified as having multiple missions, an important number of which focused on serving and fostering immigration.⁴ This did not, of course, mean that our prior immigration structure lacked a strong enforcement component. Indeed, some of the harshest aspects of our regime today, which derive from a number of omnibus immigration bills enacted in the mid-1990s, preceded the creation of ICE.⁵ Even so and for a variety of reasons, the enforcement system that existed before 2003 looked different in some important ways from ours today.

ICE was created in the wake of the tragedy of September 11, 2001, a time when the fear of terrorism began to grip our country in a new way.⁶ Border security and immigration became increasingly associated with national security, and those concerns led to the creation of the Department of Homeland Security (“DHS”), and the assignment of a range of enforcement responsibilities to DHS subcomponent ICE in 2003.⁷ In creating ICE, Congress isolated the harshest functions in the immigration system—primarily arrests, detention, and deportation—and allowed that harsh agenda to define ICE as a whole.

Since then ICE—along with its sister entity Customs and Border Protection—has grown into the one of the most massive and least accountable police forces in the United States.⁸ Over

² See Jennifer M. Chacón, *Unsecured Borders: Immigration Restrictions, Crime Control and National Security*, 39 CONN. L. REV. 1827, 1866 (2007).

³ USCIS History Office and Library, OVERVIEW OF INS HISTORY (“INS HISTORY”) 7 (2012) (explaining that “the Executive Order 6166 of June 10, 1933, reunited the Bureau of Immigration and Bureau of Naturalization into one agency, the Immigration and Naturalization Service”).

⁴ Stmt. of Richard M. Stana, Director, Homeland Security and Justice Issues, Testimony Before the Subcommittee on Immigration, Border Security, and Claims, Committee on the Judiciary, House of Representatives, Addressing Management Challenges That Face Immigration Enforcement Agencies at 4, fig. 1 (May 5, 2005) (explaining that, in addition to enforcement, these functions included “providing services or benefits to facilitate entry, residence, employment, and naturalization of legal immigrants; processing millions of applications each year; making the right adjudicative decision in approving or denying the applications; and rendering decisions in a timely manner”); see, e.g., INS HISTORY, *supra* note 3, at 9.

⁵ See, e.g., Illegal Immigration Reform and Immigrant Responsibility Act, Pub. L. No. 104-208, 110 Stat. 3009 (1996); Antiterrorism and Effective Death Penalty Act, Pub. L. No. 104-132, 110 Stat. 1214 (1996). While beyond the scope of the preconsidered resolution, the repeal of such laws could also significantly improve many of the issues, including disproportionate immigration penalties, that affect our communities today.

⁶ INS HISTORY, *supra* note 3, at 11 (“The events of September 11, 2001, injected new urgency into INS’ mission and initiated another shift in the United States’ immigration policy. The emphasis of American immigration law enforcement became border security and removing criminal aliens to protect the nation from terrorist attacks.”).

⁷ Statement of Richard M. Stana, Director, DHS Government Accountability Office, Homeland Security and Justice Issues, Testimony Before the Subcommittee on Immigration, Border Security, and Claims, Committee on the Judiciary, House of Representatives, Addressing Management Challenges That Face Immigration Enforcement Agencies (May 5, 2005) (“In March 2003, the enforcement functions of the INS were transferred to the new DHS and placed in the newly-created ICE and CBP”); see ICE, DHS, What We Do, <https://www.ice.gov/overview>; see, e.g., ICE, DHS, Strategic Plan FY 2010-2014, https://www.ice.gov/doclib/detention-reform/pdf/strategic_plan_2010.pdf.

⁸ See Marisa Franco and Paromita Shah, *The Department of Homeland Security: the largest police force nobody monitors*, The Guardian (Nov. 19, 2015), <https://www.theguardian.com/commentisfree/2015/nov/19/the->

the past decade in particular, ICE has further expanded its reach by inserting itself into state and local government functions and using those resources to identify, arrest, and detain additional members of our communities.⁹ Where localities have resisted by adopting policies to disentangle themselves from federal immigration enforcement, ICE has targeted individuals in those communities—conducting raids, staking them out at courthouses, and ambushing them at interviews.¹⁰

To put it succinctly, the experiment has failed. In creating ICE, an agency that is purely focused on enforcement with too many resources and too much enforcement power, we have created conditions that have fostered a culture of aggression and impunity. For those concerned with public accountability, this result has been frustrating. For those concerned with due process and equal protection, the result has been disturbing. Most importantly, for our communities, the result has been disastrous. We need to move to an immigration system that views its mission holistically, one that sees protection of asylum-seekers, the inclusion of immigrants, and the unity of families as a central part of its role. I understand that some individuals have expressed concerns about the consequences of abolishing ICE, and being left without a mechanism for enforcement. But the consequences of an enforcement regime that turns our immigration system into one of detention and expulsion is already damaging our communities. Only once we have an agency that truly recognizes the value of immigrants and our humanitarian obligations on a global scale can we begin to trust that an agency will make fair and just decisions about enforcement.

[department-of-homeland-security-the-largest-police-force-nobody-monitors](#); AMERICAN IMMIGRATION COUNCIL, THE GROWTH OF THE U.S. DEPORTATION MACHINE (Mar. 2014) (reporting that spending ICE “grew 73 percent, from \$3.3 billion since its inception to \$5.9 billion in FY 2013” and funding for its enforcement and detention arm “in particular has increased from \$1.2 billion in FY 2005 to \$2.9 billion in FY 2012”), *available at* <https://www.americanimmigrationcouncil.org/research/growth-us-deportation-machine>; U.S. Department of Justice Office of Justice Programs Bureau of Justice Statistics, Federal Law Enforcement Officers at 2, 4 (2008). While beyond the scope of the preconsidered resolution, Customs and Border Protection suffers from many of the same problems as ICE and should be abolished as well.

⁹ Danyelle Solomon, Tom Jawetz, and Sanam Malik, Center for American Progress, The Negative Consequences of Entangling Local Policing and Immigration Enforcement (Mar. 21, 2017), <https://www.americanprogress.org/issues/immigration/reports/2017/03/21/428776/negative-consequences-entangling-local-policing-immigration-enforcement/> (“From signaling plans to aggressively promote the 287(g) program around the country to withholding federal grants from so-called sanctuary jurisdictions, the Trump administration has made clear that it aims to enlist state and local law enforcement in its civil immigration enforcement efforts through both inducement and coercion.”); Nat’l Immigration Law Ctr., How ICE Uses Local Criminal Justice Systems to Funnel People Into the Detention and Deportation System (Mar. 2014), <https://www.nilc.org/issues/immigration-enforcement/localjusticeandice/>.

¹⁰ Elizabeth Chou and Alejandra Molina, *ICE arrests more than 100 in immigration sweeps across Southern California*; *LA leader calls it ‘all-out assault,’* L.A. DAILY NEWS (Feb. 18, 2018), (<https://www.dailynews.com/2018/02/14/ice-reportedly-arrests-more-than-100-in-uncooperative-la-area-as-part-of-operation-that-began-sunday/>); Lyanne A. Guarecuco, *Federal Judge: ICE Conducted Austin Raids in Retaliation Against Sheriff’s New Policy*, Texas Observer (Mar. 20, 2017), <https://www.texasobserver.org/federal-judge-ice-conducted-austin-raids-in-retaliation-against-sheriffs-new-policy/>; Walter Ewing, *The Federal Government Is Using Immigration Raids as Retaliation Against California*, Immigration Impact (Feb. 8, 2018), <http://immigrationimpact.com/2018/02/08/government-immigration-raids-california/>

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Appearance Card

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 in favor in opposition - Abolish ICE

Date: 9/6/17

(PLEASE PRINT)

Name: Lindsay Nish

Address: _____

I represent: Immigration Justice Clinic

Address: 11070 100 55 F.R.N. Ave.

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 in favor in opposition

Date: 09/06/2018

(PLEASE PRINT)

Name: Professor Tom Wong

Address: UC Davis - California

I represent: UC Davis - California

Address: _____

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 in favor in opposition

Date: 9/6/2018

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Name: FABIOLA MENDIETA

Address: 2126 76th St. BROOKLYN 11214

I represent: HERNANDEZ HERNANDEZ ARIENDO CAMINDS BROOKLYN

Address: BROOKLYN #JUSTICE FOR U2

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Name: Commissioner Bitta Mostofi

Address: 253 Broadway

I represent: Mayor's Office of Immigrant Affairs

Address: 253 Broadway

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Name: Nyasa Hickey

Address: _____

I represent: Brooklyn Defender Services

Address: 177 Livingston St Brooklyn

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Name: Violeta Gomez-Urbe

Address: violeta.gus@gmail.com

I represent: _____

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Name: Rob Solano

Address: _____

I represent: Churches United for fair Housing

Address: 2 Marcus Garver Blvd.

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Name: HASAN SHAFDULLAH

Address: 199 WATER ST 3rd FL NY NY 10038

I represent: THE LEGAL AID SOCIETY

Address: (SAME)

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in favor in opposition

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Name: Jatibela Raos, Esq.

Address: 320 E. 92nd St, 4FC, New York, NY 10120

I represent: _____

Address: _____

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Name: Albert Fox Cann

Address: _____

I represent: CAIR-NY

Address: 46-01 204th Ave, Queens, NY 11105

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(PLEASE PRINT)
Name: Khalil Cumberbatch

Address: 29-76 Northern Blvd LIC, NY 11101

I represent: Fortune Society

Address: same as above

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